

PROCEEDINGS of CONVENTION.

1776

POST MERIDIE M.

Convention met.

In progression on reading the declaration of rights, on motion of Mr. Earle; that the following be inserted as an article therein; "That all persons who from religious scruples esteem it unlawful to take an oath on any occasion, may be allowed to make their solemn appeal or affirmation in all civil and criminal cases, in such manner as their religious principles have induced them to point out for the attestation of the truth." The previous question was called for and put, Whether the above question be now put? Carried in the negative.

It was then moved by Mr. Johnson, that the following be inserted as an article in the declaration of rights; "That the manner of administering an oath to any person, ought to be such as those of the religious persuasion, profession or denomination of which such person is one, generally esteem the most effectual confirmation by the attestation of the Divine Being, and that the people called quakers, those called dunkers, and those called menonists, holding it unlawful to take an oath on any occasion, ought to be allowed to make their solemn affirmation, in the manner that quakers have been heretofore allowed to affirm, and to be of the same avail as an oath, in all such cases as the affirmation of quakers hath been allowed and accepted within this state, instead of an oath; and further, on such affirmation, warrants to search for stolen goods, or the apprehension or commitment of offenders, ought to be granted, or security for the peace awarded, and quakers, dunkers, or menonists, ought also on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital." To which an amendment was proposed by Mr. S. Chase, to strike out the latter part of the proposed article, which follows in these words, "and quakers, dunkers, or menonists, ought also, on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases not capital." On which amendment the question was put and carried in the negative.

A F F I R M A T I V E.

Messrs. Barnes, Fenwick, Dent,	Parnham, Grahame, Bowie,	Sprigg, Marbury, S. Chase,	T. Wright, Dickinson, Gustavus Scott,	George Scott, Horsey, Chaille,	Bishop, Mitchell.
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N E G A T I V E.

Messieurs Plater, Fitzhugh, J. Mackall, Hammond, J. Hall, Worthington, Paca,	Carroll, J. Wilson, Bayly, Williams, Fischer, Edelen,	Shriver, Beall, Stull, Ridgely, Deye, Stevenfon,	J. Smith, J. T. Chase, Love, Archer, Gilpin, Ewing,	D. Smith, Brevard, Earle, T. Smyth, Kent, Bruff,	S. Wright, Edmondson, Gibson, Potter, Mason, Johnson.
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The question was then put on the whole article, and resolved in the affirmative.

The order of the day, that the convention will resolve itself into a committee of the whole, to consider further of the form of government for this state, being read, the same was referred till to-morrow.

Convention adjourns till to-morrow morning 9 o'clock.

S U N D A Y, November 3, 1776.

CONVENTION met. All members present as on yesterday, except Mr. Ringgold, Mr. H. Wilson, Mr. Shepherd, Mr. Jordan, Mr. Potter, Mr. J. Mackall, Mr. B. Hall, Mr. Sprigg, Mr. Hammond, and Mr. J. Wilson. The proceedings of yesterday were read.

On motion of Mr. T. Wright, That the following be inserted as an article in the declaration of rights; "That if the eastern or western shore shall hereafter judge it for their interest and happiness to separate from the other, their right so to do is hereby acknowledged." An amendment was proposed by Mr. Ewing to be inserted after the words "that if," in the words following, "a majority of qualified voters in elections in every county on." Upon which amendment the question was put, and resolved in the affirmative. The question on the article so amended was then moved for, and the previous question called for and put, Whether the said question be now put? Carried in the negative.

A F F I R M A T I V E.

Messrs. Archer, Earle, T. Smyth,	T. Wright, Kent, Bruff,	S. Wright, Edmondson, Gibson,	Mason, Dickinson, Gustavus Scott,	George Scott, Horsey, Chaille,	Bishop, Mitchell.
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N E G A T I V E.

Messieurs Fenwick, Plater, Dent, Parnham, Grahame,	Fitzhugh, Bowie, Marbury, J. Hall, Worthington,	Paca, Carroll, Bayly, Williams, Fischer,	Edelen, Shriver, Beall, Stull, Ridgely,	Deye, Stevenfon, J. Smith, Bond, Love,	Gilpin, Ewing, D. Smith, Brevard, Johnson.
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The convention having gone through the declaration of rights, paragraph by paragraph, the same was amended, and agreed to as follows:

The DECLARATION of RIGHTS.

THE parliament of Great-Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim endeavoured by force of arms to subjugate the United Colonies to an unconditional submission to their will and power, and having at length constrained them to declare themselves independent states, and to assume government under the authority of the people, Therefore We, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the surer foundation, and more permanent security thereof; Declare,

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

3. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience have been found applicable to their local and other circumstances, and of such others as have been since made in England or Great-Britain, and have been introduced;